

## NOTICES OF PROPOSED RULEMAKING

Unless exempted by A.R.S. § 41-1005, each agency shall begin the rulemaking process by 1st submitting to the Secretary of State's Office a Notice of Rulemaking Docket Opening followed by a Notice of Proposed Rulemaking that contains the preamble and the full text of the rules. The Secretary of State's Office publishes each Notice in the next available issue of the *Register* according to the schedule of deadlines for *Register* publication.

Under the Administrative Procedure Act (A.R.S. § 41-1001 et seq.), an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for adoption, amendment, or repeal of any rule. A.R.S. §§ 41-1013 and 41-1022.

### NOTICE OF PROPOSED RULEMAKING

#### TITLE 4. PROFESSIONS AND OCCUPATIONS

#### CHAPTER 43. BOARD OF OCCUPATIONAL THERAPY EXAMINERS

#### PREAMBLE

1. **Sections Affected**  
R4-43-204
- Rulemaking Action**  
Amend
2. **The specific authority for the rulemaking, including both the authorized statute (general) and the statutes the rules are implementing (specific):**  
Authorizing statute: A.R.S. § 32-3404(A)(4)  
Implementing statute: A.R.S. § 32-3426(C)
3. **The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**  
Name: Kenneth D. Fink, Executive Director  
Address: Board of Occupational Therapy Examiners  
1400 West Washington, Suite 240  
Phoenix, Arizona 85007  
Telephone: (602) 542-5300  
Fax: (602) 542-5469
4. **An explanation of the rule, including the agency's reasons for initiating the rule:**
  - a. The Board recognizes the importance of continuing education in order to ensure that the general public continues to receive the safest and most current medical treatment available. Newer and safer methods of treatment are continuously being developed and it is important that these new resources be made available to the patients of Arizona.
  - b. Many of the Board's licensee's have requested that the various types of continuing education categories be broadened to include such training as video tape presentations, instructing and teaching classes or seminars, written articles or books, self-study & formal study courses, etc. The change is expected to greatly increase the availability of continuing educational opportunities for licensees living and working in of the more remote areas of Arizona where there is less formal training available.
5. **A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this date:**  
Not applicable.
6. **The preliminary summary of the economic, small business, and consumer impact:**  
Small businesses and consumers will benefit from these rule changes because it will make many different types of training categories and selections available for less costs, make it more convenient to obtain as prior to the this rule change, training was basically limited to "in class" instructional type training. It is anticipated that these changes will reduce the costs of services to the consumer. The video training industry, for example, has helped to improve and lower the cost of medical services training and the sources of video training is readily available at costs much less than formal "in class" types of training. One of the goals for these changes was to encourage therapist to teach their peers through classes and seminars. Many college professors will quickly tell anyone that preparing to teach a class is truly a learning experience. The rule is expected to reduce the cost of training to the licensees and provided for a larger selection of medical training categories.

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**7. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:**

Name: Kenneth D. Fink, Executive Director  
Address: Board of Occupational Therapy Examiners  
1400 West Washington, Suite 240  
Phoenix, Arizona 85007  
Telephone: (602) 542-5300  
Fax: (602) 542-5469

**8. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule or, in no proceedings are scheduled, where, when and how persons may request an oral proceeding on the proposed rule:**

No oral proceedings are scheduled. Oral proceedings may be requested from the person listed in question 7 above immediately following 30 days following the publication of the Notice of Proposed Rulemaking in the *Register* and immediately after the Board meeting next following the 30-day *Register* publication. Written comments on the proposed rules or preliminary economic, small business, and consumer impact statement may be submitted to the person listed in question 7 above to arrive not later than 5 p.m., June 23, 1997.

**9. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**  
Not applicable.

**10. Incorporated by reference and their location in the rules:**  
Not applicable.

**11. The full text of the rules follows:**

**TITLE 4. PROFESSIONS AND OCCUPATIONS**

**CHAPTER 43. BOARD OF OCCUPATIONAL THERAPY EXAMINERS**

**ARTICLE 2. LICENSURE**

**R4-43-204. Continuing Education for Renewal of License**

**ARTICLE 2. LICENSURE**

**R4-43-204. Continuing Education for Renewal of License**

- A. Pursuant to A.R.S. § 32-3426 the continuing education requirement for renewal of a license shall be 10 clock hours completed, produced, or published during the licensure period immediately prior to the expiration of license or the date an application is received by the Board requesting to return to an active license status per year from date of licensure for the occupational therapist and 6 clock hours for the certified occupational therapy assistant.
- B. Pursuant to the criteria established in these rules all continuing education programs, courses, and clock hours are subject to the approval of the Board.
- C. Continuing education clock hours may be accumulated by participation in education programs related to that contribute directly to professional competency and are related to the clinical practice of occupational therapy services. These programs may be sponsored by colleges or universities, state or federal licensed health care providers, and health professional organizations. Verifiable photo copy(ies) of signed certificates or letters showing the clock hours in attendance from the educational program sponsor are required as documentation of the licensee's attendance. Continuing education hours can be met by completing any combination of the following:
1. Participating in a professional workshop, seminar, or conference related to the practice of occupational therapy;
  2. Self-study, formal study courses related to the practice of occupational therapy;
  3. View a video taped presentation related to the practice of occupational therapy.
  - ~~D.4. Successful completion~~ Completion of an undergraduate or graduate course at a college or university shall earn a

maximum of six clock hours with submitted proof of a grade of "C" or better and a personal statement describing how the course extends the licensee's professional skill and knowledge relating to the practice of occupational therapy.

5. Publication of an article, book, chapter of a book, a film, or video tape when it is related to the practice of occupational therapy. A maximum of continuing education clock hours that can be accumulated for each type of this publication is:
  - a. Ten clock hours for a published book.
  - b. Five clock hours for a published chapter of a book.
  - c. Four clock hours for a published article.
  - d. Six clock hours for the production of a film or video tape.
6. A maximum of 4 continuing education clock hours may be accumulated for a program presented by a licensed occupational therapist or occupational therapy assistant when the presentation consists of not less than 1½ hours in length and is related to the practice of occupational therapy. Proof of conducting a program presentation shall be a brochure, agenda, or printed material describing the content of the presentation, date, location of the presentation, names of the presenters, or a signed certificate or letter from the program organizer.
7. A maximum of 4 continuing education clock hours may be accumulated for in-service educational training related to clinical occupational therapy services excluding training for safety, fire evacuation, and cardiopulmonary resuscitation (CPR). Proof of completion shall be verified on letterhead by the supervising occupational therapist or other immediate supervisor. The licensee shall submit documentation of:
  - a. Specific topics,
  - b. Presenters,
  - c. Dates,
  - d. Times.

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- e. Location.
  - f. And how the training or in-service is related to clinical practice of occupational therapy and how it contributes to professional competency.
- D. Continuing education clock hours require proof of completion and attendance by:**
- 1. Submitting a verifiable photo copy or copies of signed certificates or letters issued by the sponsoring organization or instructors showing the clock hours and dates in attendance, the name of the sponsoring organization and the instructor, the name of the courses or programs and the licensee's name and the number of clock hours of participation.
  - 2. Submission of a copy of the published article, book, chapter, film, or video tape is required as proof of completion.
- E. Substitution of 3 job related in-service education clock hours for 1 continuing education clock hours, up to a maximum of 3 continuing education clock hours. These substitute clock hours shall be verified on letterhead by the supervising occupational therapist or other immediate supervisor. The licensee shall submit documentation of:**
- 1. Specific topic,
  - 2. Presenters,
  - 3. Dates,
  - 4. Times,
  - 5. Location,
  - 6. And how the training extends the improvement of professional skills in the practice of occupational therapy.